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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/621,422	07/18/2003	Robby Zeaman	ZEAMAN-I	1750
7590 07/07/2004			EXAMINER	
Eric A. LaMorte			THOMPSON, HUGH B	
LaMorte & Associates, P.C. P.O. Box 434			ART UNIT	PAPER NUMBER
Yardley, PA 19067			3634	
			DATE MAILED: 07/07/200	1

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
	10/621,422	ZEAMAN, ROBBY
Office Action Summary	Examiner	Art Unit
	Hugh B. Thompson II	3634
The MAILING DATE of this communication Period for Reply	appears on the cover sheet wi	th the correspondence address
A SHORTENED STATUTORY PERIOD FOR RI THE MAILING DATE OF THIS COMMUNICATION Extensions of time may be available under the provisions of 37 CF after SIX (6) MONTHS from the mailing date of this communication If the period for reply specified above is less than thirty (30) days, If NO period for reply is specified above, the maximum statutory period for reply within the set or extended period for reply will, by set any reply received by the Office later than three months after the earned patent term adjustment. See 37 CFR 1.704(b).	ON. FR 1.136(a). In no event, however, may a re n. a reply within the statutory minimum of thirt eriod will apply and will expire SIX (6) MON' statute, cause the application to become AB	eply be timely filed y (30) days will be considered timely. THS from the mailing date of this communication. ANDONED (35 U.S.C. § 133).
Status		
 1) ⊠ Responsive to communication(s) filed on 2 2a) ☐ This action is FINAL. 2b) ⊠ 3) ☐ Since this application is in condition for all closed in accordance with the practice uncertainty. 	This action is non-final. owance except for formal matt	·
Disposition of Claims		
4) ⊠ Claim(s) 1-18 is/are pending in the application 4a) Of the above claim(s) is/are with 5) □ Claim(s) is/are allowed. 6) ⊠ Claim(s) 1-3 and 6-18 is/are rejected. 7) ⊠ Claim(s) 4 and 5 is/are objected to. 8) □ Claim(s) are subject to restriction and subject to restrict	hdrawn from consideration.	
Application Papers		
9) The specification is objected to by the Exa 10) The drawing(s) filed on is/are: a) Applicant may not request that any objection to Replacement drawing sheet(s) including the α 11) The oath or declaration is objected to by the	accepted or b) objected to othe drawing(s) be held in abeyar orrection is required if the drawing	ce. See 37 CFR 1.85(a). (s) is objected to. See 37 CFR 1.121(d).
Priority under 35 U.S.C. § 119		
12)☐ Acknowledgment is made of a claim for for a)☐ All b)☐ Some * c)☐ None of: 1.☐ Certified copies of the priority docu		119(a)-(d) or (f).
2.☐ Certified copies of the priority docur	ments have been received in A	pplication No
3. Copies of the certified copies of the	priority documents have been	received in this National Stage

Attachment(s)

Notice of Draftsperson's Patent Drawing Review (PTO-948) Paper No(s)/Mail Date.		
	Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date	Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152)

application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Application/Control Number: 10/621,422

Art Unit: 3634

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 4-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. With respect to claims 4 and 6, the applicant has positively recited the combination of the ladder and device. Is the ladder required? It is suggested the applicant use the phrase "adapted to" when referring to unclaimed elements.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 6, and 9-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Hurd #1,382,833. Hurd discloses a slide pad for a ladder leg A, comprised of metal base 10, receptacle structure 11-14 (vertical fingers), having sloped locking heads 15, 21, and bottom curved edges 17.

Claims 1, 2, 3, and 6-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Boham et al #2,904,128. Boham discloses a slide pad for a ladder comprised of base 6, a

Application/Control Number: 10/621,422

Art Unit: 3634

receptacle 4 having vertical supports/arms/fingers 7, 8, straps 5, the interior leather/wool portion of the fingers serving to reduce friction when in contact with the ladder rails 2.

Claims 1, 2, 6, and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Wright #3,062,319. Wright discloses a slide pad for a ladder comprised of base 10, vertical supports 13, 14, which form a receptacle for receiving ladder rail 16, fingers 34, 35, and sloped locking heads 36, 37.

Claims 12, 16, 17 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by McElfresh #5,417,302. McElfresh, as recited in column 4, lines 23-59, discloses a stepladder 100 having a slid pad 10, 12, 20, coupled to bottom ends of parallel rails 102.

Allowable Subject Matter

Claims 4 and 5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The primary reason for the allowable subject matter of claim 4 is the inclusion of a tubular elastic band that engages and surrounds a portion of the ladder rail. The prior art of record fails to teach or suggest the claimed features absent the applicant's own disclosure.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Garnett #5,791,435, Bremick #6,499,563, and Joyce et al #5,141,076 are cited to teach ladder foot supports.

Application/Control Number: 10/621,422

Art Unit: 3634

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hugh B. Thompson II whose telephone number is (703) 305-0102. The examiner can normally be reached on Monday thru Friday 9 am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on (703) 308-0827. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hugh B. Thompson II

Page 4

Art Unit 3634 June 28, 2004

HUGH B. THOMPSON II PRIMARY EXAMINER TECHNOLOGY CENTER